

Message Text

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PAGE 01 LIMA 06423 082026Z

62

ACTION ARA-10

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TAGS: EINV, EMIN, PFOR, PE, US

SUBJ: MARCONA EXPROPRIATION - GOP REPLY TO U.S. NOTE

REF: LIMA 6361

THERE FOLLOWS TEXT OF NOTE MENTIONED BY FOREIGN
MINISTER TO AMBASSADOR AND WHICH FOREIGN MINISTRY HANDED
TO EMBASSY AUGUST8.

QTE/MEMORANDUM NO. 6-Y/112. IN CONNECTION WITH THE EXPROPRIATION
OF THE ASSETS OF THE PERUVIAN BRANCH OF MARCONA MINING COMPANY,
THE PERUVIAN GOVERNMENT BELIEVES THAT THERE ARE NO SPECIAL REASONS
FOR CONCERN ON THE PART OF THE UNITED STATES.

QTE DECREE LAW 21228 AND THE LEGAL EFFECTS THEREOF ARE
SUPPORTED BY CONSTITUTIONAL PROVISIONS AND LAWS IN EXISTANCE
PRIOR TO THE SAME EXPROPRIATING ACTION. CONSEQUENTLY, THE
CONFORMANCE TO LAW OF THAT DECREE, AS WELL AS THE DETERMINA-
TION OF THE REVOLUTIONARY GOVERNMENT TO CARRY IT OUT, CLEARLY
CANNOT BE DISCUSSED. LIKEWISE, IT IS NECESSARY TO STATE THAT
THE SAID LEGAL INSTRUMENT DOES NOT CONSITUTE ANY CONFISCATORY
ACTION, AS PUBLICATIONS PRINTED IN THE UNITED STATES AND
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PAGE 02 LIMA 06423 082026Z

STATEMENTS MADE BY UNITED STATES CONGRESSMEN SEEK TO CLASSIFY

IT.

QTE THE LEGAL SITUATION DESCRIBED IS SUPPORTED BY THE TRUE FACT THAT MARCONA MINING COMPANY, PERUVIAN BRANCH, HAS THE FULL RIGHT TO RESORT TO THE COURTS OF THE REPUBLIC ON ANYTHING CONCERNING THE INITIATED EXPROPRIATION PROCEEDINGS.

QTE FURTHERMORE, THE PERUVIAN GOVERNMENT CONSIDERS THAT THE DIALOGUE BETWEEN THE ENTERPRISE HIERRO PERU AND MARCONA MINING, REQUESTED BY THIS SAME ENTERPRISE, COULD BE AN APPROPRIATE WAY TO CLARIFY SUCH ISSUES AS MAY ARISE FROM THE EXPROPRIATION.

QTE WITH RESPECT TO THE FRIENDLY RELATIONS BETWEEN PERU AND THE UNITED STATES, THE PERUVIAN GOVERNMENT HAS GOOD REASON TO CHERISH THE HOPE THAT EVENTS SUCH AS THE SAID EXPROPRIATION, CARRIED OUT IN ACCORDANCE WITH THE NATIONAL INTERESTS OF THE COUNTRY AND SUPPORTED BY THE LAW AND INTERNATIONAL PRACTICE RELATING TO THE SUBJECT OF THE RECOVERY OF NATURAL RESOURCES, WILL NOT IMPLY ANY DISTURBANCE TO THEIR NORMAL DEVELOPMENT. ON THE CONTRARY, IT DEEMS IT TIMELY TO RESTATE ITS DESIRE TO PRESERVE THAT FRIENDSHIP AND TO EXTEND THE FORMS OF COOPERATION THROUGH WHICH THAT FRIENDSHIP SHOULD BE EXPRESSED. UNQTE DEAN

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